



**City Council
Pre-Agenda/Regular Meeting Minutes
Monday
May 8, 2017 @ 6:00 pm
Trinity City Hall Annex**

Members Present: Mayor, Jesse Hill; **Council members:** Gene Byerly, Jack Carico, Tommy Johnson, Steve Lawing and Don Payne.

Member Absent: None

Others Present: City Manager, Debbie Hinson; City Attorney, Nick Herman; Public Works Director/Stormwater Administrator, Rich Baker; Planning Director, Marc Allred; Office Assistant, Darien Comer; Randolph County Deputy, Kyle Cox; and other interested parties.

- **Call to Order; Welcome Guests and Visitors**

Mayor Hill called the Meeting to order at 6:00 pm and welcomed everyone.

- **Pledge of Allegiance and Invocation**

Mayor Hill led the Pledge of Allegiance. The Invocation was given by Council member Payne.

- **Review, amend if needed, and approve Proposed Regular Meeting Agenda**

Mayor Hill called for changes or amendments to the agenda. Hearing none, Mayor Hill called for a motion to approve the agenda.

A motion was made by Council member Johnson to approve the agenda as written. The motion was seconded by Council member Byerly and approved unanimously with a vote of 5 ayes and 0 nays.

Regular Meeting Begins Here:

I. Proclamation of Congratulations to Wheatmore Concert Band

Mayor Hill asked Ms. Jenny Beck to come forward. He presented the Proclamation of Congratulations and expressed his appreciation and support for the band and the awards received during competition.

II. Standing Report

Mr. Baker, Public Works Director reviewed the following projects:

A. Turnpike Industrial Park

Force Main was tied in today at this project and we hope to be finished by Wednesday.

B. Younts

Discussion has taken place with Mr. Younts concerning his time line to begin this project. Mr. Younts has advised the City that he is currently working with his financing for this project with his loan consultant.

C. Hidden Valley Street Lights

Mr. Baker advised Council members that staff reviewed the streetlights list and found that Hidden Valley was included on the list of approved streetlight projects. Mr. Baker will present the correct list to the Infrastructure Board at their next meeting.

III. Public Comment Period

Mayor Hill opened the Public Comment Period to anyone who would like to speak on an item not included on the agenda.

Lucy Rush, 5273 Grey Oak: Mrs. Rush addressed Council concerning a new neighborhood association that had been formed in her neighborhood. The association will be called Pearl Harris Association. The name was chosen because of Mrs. Harris's contributions to the neighborhood.

In closing, Mrs. Rush invited Mayor Hill and Council members to attend their first meeting to be held at First Baptist Church on June 10th at 1:00pm.

IV. Consideration of Consent Agenda: These items are considered routine, non-controversial and are considered and approved by motion, second, and vote.

1. Approval of the Minutes for the April 10, 2017 City Council Meeting Minutes.

Mayor Hill opened this Item and called for approval, changes, or denial.

A motion was made by Council member Payne to approve the minutes as presented. The motion was seconded by Council member Johnson and approved unanimously with a vote of 5 ayes and 0 nays.

V. Public Hearings

2. Rezoning of property 7707-57-7570 located on Merle Drive

Mayor Hill opened the Public Hearing Section at 6:12.

Conflict of Interest Statement: Mayor Hill asked if anyone needed to recuse themselves from voting due to a conflict of interest.

Hearing none, Mayor Hill called on Planning Director, Marc Allred to brief Council on this item.

Planning Director Allred reviewed the following items relating to this request. (Attachment #1)

- Rezoning request for Merle Drive. Pin #7707-57-7570
- Current zoning R-40 (one home per 40,000 sq. feet)
- Purposed zoning R-20 (one home per 20,000 sq. feet)
- Sewer is available for this property.
- Area was zoned R-40 to deal with septic tank failures that were occurring in the City. Sewer came to Merle Drive in 2012.
- Surrounding Land Use
 - North – Single-Family Residential
 - South – Single-Family Residential
 - East – Single-Family Residential.
 - West – Single-Family Residential
- The land use for this parcel is Residential. The access to sewer makes rezoning of the property to R-20 consistent with the Land Use Plan.
- There is a pond below the property. The 30-foot buffer does reach into this property.
- No flood zone in the area.
- Merle Drive is a high point and the property goes downhill from it.
- Merle Drive. is an NCDOT road and there is no scheduled improvement for this project.

After review, Mr. Allred called for questions.

There was discussion between Council members and the Planning Director concerning the location of the pond, whether the pond would have any effect on either piece of this property should the rezoning be approved, and if there would be one (1) home or two (2) on the property.

Planning Director Allred confirmed that the location of the property will have a buffer more than 30 feet. There is a 25-foot rear set back requirement. Therefore, there is an excess of 50 feet to the stream line. There would be no effect on either property in question. If rezoning of this property is approved there will be one (1) home for each lot or a total of two (2) homes.

There was a question concerning the total square footage proposed for the homes. Christie Crumpler representing the applicant stated square footage would range from 1300 to 1600 square feet.

Planning Board Recommendation; this Board did recommend rezoning for this request. The Board felt the rezoning to 20,000 sq. feet was in harmony with existing properties in this neighborhood. This request is compliant with the Land Use Plan and sewer is available to this property.

Public Hearing

Mayor Hill opened the public hearing for anyone who wished to speak for or against the request.

For the request:

Christie Crumpler; Mrs. Crumpler confirmed the proposed home prices will range between 1300 and 1600 square feet with a price range of approximately \$140,000 which is comparable to the homes currently in this area that range from \$119,000 up to \$160,000.

Against the Request

Jimmy Stanley, 5667 Merle Drive. Trinity; Mr. Stanley discussed the amount of time that he has lived in this neighborhood. He purchased his house 25 years ago. During this 25 year period the neighbors have assisted each other when needed for various reasons. Mr. Stanley did not want to see the neighborhood changed, did not want to see homes added to the neighborhood that he felt would not meet current neighborhood standards. It was his opinion the codes should not be changed to allow the addition of these two (2) homes.

John Bare, 5610 Merle Drive. Trinity; Mr. Bare felt a lot of questions concerning the homes proposed had been answered concerning the size as well as photographs provided for the proposed homes.

Mr. Bare felt the homes should be astatically pleasing, in other words brick. The homes should be stick built, no modular's, no apartments or duplexes should be allowed, and only allow single family homes to be erected. He referred to the neighborhood signature list against this rezoning provided to the City that illustrates the feelings of the residents in this neighborhood.

Jeff Short, 5618 Merle Drive. Trinity; Mr. Short felt most of the questions concerning these homes had been answered. He reiterated that he would like to make sure the quality and standards discussed by Mr. Bare remained the same as the conditions that currently exist in the neighborhood.

Ginger Thornburg, 5590 Merle Drive. Trinity; Ms. Thornburg discussed her role in the neighborhood signature list against the rezoning that was presented to Council. She asked that everyone from Merle Drive and Collins stand so that Council could see the number of the neighbors present tonight concerned about this rezoning.

With no other comments, Mayor Hill closed the Public Hearing at 6:25pm.

Mayor Hill then called for a staff recommendation.

Staff Recommendation: Staff agrees with Board recommendation for rezoning as proposed. The rezoning to 20,000 sq. foot lots is in harmony with existing properties in this neighborhood. This request is compliant with the Land Use Plan. Sewer is available to this property.

Mayor Hill opened this item for Council discussion and /or action.

Council member Carico asked Attorney Herman if covenants were up to date in this neighborhood could the Council act on this request.

Attorney Herman confirmed that Council could act on this item regardless of the status of the neighborhood covenants. Neighborhood covenants do not affect the decision that Council makes concerning this request.

Council members asked for confirmation on the following items.

- **Are apartments allowed in this area**
- **Confirmation that the City can no longer dictate aesthetics for residential development.**

Planning Director Allred confirmed that apartments were not allowed in this area and that the state had changed the statutes that prevented the City from determining or placing standards on residential development.

Council member Payne discussed his visit to the site for the proposed rezoning. He discussed a home located at the bottom of the hill closest to this site that had vinyl exterior. He reiterated the changes made by the State that removed a municipality's right to impose development standards on residential developments.

With no further discussion from Council members, Mayor Hill called for confirmation of the recommendation from the Planning Board.

Planning Board Recommendation:

The Planning Board recommends approval for rezoning based on to 20,000 sq. feet. This will be in harmony with existing properties in this neighborhood. This request is compliant with the Land Use Plan and sewer is available to this property.

Mayor Hill called for further questions or discussion. Hearing none, Mayor Hill called for a motion concerning this rezoning request.

Motion by Council member Payne to rezone PIN # 7707-57-7570 from R-40 to R-20. This rezoning is compliant with the Land Development Plan. The motion was seconded by Council member Johnson and approved unanimously by a vote of 5 ayes and 0 nays.

VI. New Business

3. Code Enforcement Report and Permits Report

Planning Director Allred reviewed the Code Enforcement Report and Permit Report with Council. (Attachment #2)

VII. Business from City Manager and Staff

Manager Hinson asked if Council would like to hold another Budget workshop.

It was the consensus of Council members that no additional workshop was needed.

VIII. Business from Mayor and Council
None

IX. Adjournment

With no other business to discuss, *a motion was made by Council member Payne to adjourn the May 8, 2017 meeting at 6:32 pm. The motion was seconded by Council member Carico and approved unanimously with a vote of 5 ayes and 0 nays.*